

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE**

MARILYN J. WILLEY,
Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner,
Social Security Administration,
Defendant.

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Civil No. 05-226-P-S

ORDER

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the government's request to remand this action for further development of the record by an administrative law judge (AALJ@),

IT IS HEREBY ORDERED that, upon remand, the ALJ will be directed to update claimant's medical records. The ALJ will further be directed to evaluate Plaintiff's mental impairments in accordance with the "special technique" described at 20 C.F.R. § 416.920a, reevaluate her residual functional capacity ("RFC"), and conduct a new administrative hearing on a *de novo* basis. If necessary, the ALJ may obtain further vocational expert testimony at the new hearing. The ALJ will then issue a new decision based on the total record. In that decision, the ALJ will provide appropriate rationale for his findings as to Plaintiff's RFC with specific references to supporting record evidence. If necessary, the ALJ will also determine whether substance abuse is a contributing factor material to a finding of disability.

Therefore, this court hereby reverses the Commissioner's decision under sentence four of

42 U.S.C. §405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). The clerk of the court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

/s/ George Z. Singal
Chief U.S. District Judge

Dated: April 26, 2006.